**THE HON'BLE SRI JUSTICE V.V.S.RAO**

WRIT PETITION No.25795 OF 2006

DATED 15TH DECEMBER, 2006

Between

Smt P.Kanakaratnamma

... Petitioner

AND

The State of A.P., rep.by its District Collector, Adilabad District, Adilabad, and others.

... Respondents

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WRIT PETITION No.25795 OF 2006

**ORDER:**

The writ petition is filed by octogenarian woman seeking a writ of Mandamus directing respondents, namely, District Collector, Adilabad, Sub-Collector, Adilabad and Mandal Revenue Officer, Sirpur to issue supplementary sethwar in respect of lands in survey Nos.520/1 and 524/1 admeasuring Ac.38.2 guntas situated at Sirpur village.

The writ petition is filed through a special power of attorney executed by her on 10.04.1997 constituting the delegatee *inter alia* to manage and control the agricultural land in survey Nos.524 and 520/1 allegedly owned by the petitioner. The affidavit supporting the writ petition is filed by the SPA holder. The case of the petitioner is as follows. The husband of the petitioner Bala Narasimha Rao purchased the lands in 1957 from T.Vasudev. His name was also entered as pattadar and possessor of the lands in revenue records but in 1976 the District Collector cancelled the entries and ordered registration of lands as Government lands. The petitioner alleges that even thereafter the husband of the petitioner was in possession and enjoyment of the lands. He allegedly filed a declaration under A.P.Land Reforms (Ceiling on Agricultural Lands) Act, 1973 and that the Land Reforms Tribunal also treated Bala Narasimha Rao as owner of lands. After his death in 1977, the petitioner succeeded to the property and was allegedly getting the lands cultivated through Ramesh Prasad and Ravinder, who are sons of

P.Satyanarayana. The petitioner filed a suit being O.S.No.20 of 1997 against T.Ramesh,
S/o T.Vasudev, on the file of the Senior Civil Judge, Asifabad for perpetual injunction, which was decreed on 19.08.2004. Ramesh and others filed W.P.No.369 of 1989 before this Court, which was disposed of on 03.09.1996 by the Division Bench of this Court with observations. Taking advantage of such observations, Ramesh allegedly is trying to interfere with petitioner's possession and the petitioner failed to get redressal before the respondents. Therefore, she filed the present writ petition for the direction as noticed hereinabove.

The matter was initially listed on 13.12.2006 in the Motion List. This Court requested the learned counsel for the petitioner to show the relevant law and regulations dealing with preparation of sethwar[1] and supplementary sethwar. The learned counsel is not able to even say who is the competent authority to order preparation of supplementary sethwar as per the relevant revenue laws. He fairly conceded that he is not aware of any such law and requested time till 15.12.2006. Therefore, the matter was adjourned. Today, when the case is called in the morning session, learned counsel for petitioner is absent and his junior sought time on the ground that her senior has some inconvenience and therefore, he could not attend the Court. When adjournment was refused, she informed the Court that her senior counsel would argue the case at 2.15 p.m., and the matter was passed over. Even when the case is called after lunch recess, learned counsel for the petitioner is absent and the learned junior counsel sought time. In such an important matter, this Court regrets to record, learned counsel did not evince any interest before filing the writ petition or while arguing the case to look into the relevant law under which the petitioner has a right that can be enforced in writ jurisdiction or a duty on the respondents requiring a Mandamus to discharge such duty. For this reason, this Court is not able to entertain the writ petition.

The writ petition is accordingly dismissed. No costs.

**(V.V.S.RAO,J)**

15.12.2006.
pln

[1] Sethwar: Register prepared after survey, containing the names of the holders of land, area and assessment, field-wise by the survey officials of a district, during original or revision survey of a village (See Revenue Laws of Andhra Pradesh [Telangana Area] by V.Rajaiah – First Edn., p.666)